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Dated: June 2, 2006

Signature: 

(Use Admit)

Docket No.: 101896-0239 (DEP-5150CIP)
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Jonathan Fanger et al.

Application No.: 10/776,414

Confirmation No.: 2408

Filed: February 11, 2004

Art Unit: 3738

For: GUIDE FOR SPINAL TOOLS, IMPLANTS, AND
DEVICES

Examiner: R. W. Amareld

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (SIDS)

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the reference listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference be made of record therein and appear among the "References Cited" on any patent to issue therefrom. Applicant has not submitted a copy of this U.S. reference as required by 37 CFR 1.98(a)(2)(i), amended October 2004, as the U.S. Patent and Trademark Office has waived this requirement for all U.S. patent applications. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed reference.

Applicant also calls the Examiner's attention to the following co-pending application, the prosecution of which may be relevant to the pending application:

- U.S. Application No. 10/664,575, entitled "Drill Guide With Alignment Feature," filed on September 17, 2003


Enclosed is a copy of the Form SB/08 filed on October 6, 2004 citing the above references (Attorney Docket No. 101896-208, U.S. Serial No. 10/664,575). Applicant respectfully requests Examiner to review these references and acknowledge receipt of these references by initialing the Form SB/08 and returning a copy to Applicant.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in § 1.56 (b).

This Information Disclosure Statement is filed before the mailing date of a final Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)). The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 141449, under Order No. 101896-0239.

Dated: June 2, 2006

Respectfully submitted,

By 

Lisa Adams

Registration No.: 44,238

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Attorney for Applicant

Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/776,414-Conf. #2408
				Filing Date	February 11, 2004
				First Named Inventor	Jonathan Fanger
				Art Unit	3738
				Examiner Name	R. W. Amareld
				Attorney Docket Number	101896-0239 (DEP-5150CIP)
Sheet	1	of	1		

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.	Document Number Number*Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA*	US-20030187454-A1	10-02-2003	Steven Gill	

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No.	Foreign Patent Document Country Code ² -Number*Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. * CITE NO.: These application(s) which are marked with a single asterisk (*) next to the Cite No. are not applied (under 37 CFR 1.98(a)(2)(ii)) because that application was filed after June 30, 2003 or is available in the IPW. * Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 601.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²	

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¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature	Date Considered
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PTO/SB/08a/s (08-03)

Approved for use through 07/31/2006. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Complete if Known			
		Application Number	10/664,575-Conf. #3611		
		Filing Date	September 17, 2003		
		First Named Inventor	Jonathan Fanger		
		Art Unit	3739		
		Examiner Name	Not Yet Assigned		
Sheet	1	of	1	Attorney Docket Number	101896-0208 (DEP-6150)

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number/Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US-5,180,361	01-19-1993	Gilbert M. Aust	
		US-2004/0092947-A1	05-13-2004	Kevin Foley	
		US-2004/0015174-A1	01-22-2004	William Null	
		US-2003/0233068	12-18-2003	Aaron Markworth	

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No.	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	†
		Country Code ⁴	Number/Kind Code ² (if known)				
		WO	03/024344	03-27-2003	KIM, Keo, D.		

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